

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

GRETCHEN S. STUART, M.D., et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	CIVIL ACTION
	)	
RALPH C. LOOMIS, M.D., et al.,	)	Case No. 1:11CV804
	)	
Defendants.	)	
	)	
	)	

**DECLARATION OF CAROLYN JONES**

CAROLYN JONES,\* declares and states the following:

1. I am thirty-five years old and currently reside in Austin, Texas. In January 2012, I was required by Texas law to have an ultrasound displayed and explained to me twenty-four hours prior to having an abortion. I make this declaration in the hope that it helps to prevent women in North Carolina from having to go through a similarly traumatic experience.

2. Last January, I was 20 weeks pregnant, and my husband and I were joyfully expecting a son, who would be a little brother for our two-year old daughter. I went for a routine ultrasound with my obstetrician-gynecologist, and that day received the news that our baby was profoundly ill. As a result of a developmental abnormality, our son's brain,

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\* As a freelance writer, Ms. Jones writes under the name Carolyn Jones. Her legal last name, however, is that of her husband, which she prefers not to use publicly to maintain her family's privacy.

spine, and legs would not develop correctly. If he would make it to term, something our doctor could not guarantee, he would need a lifetime of medical care. Our doctor told us that from the moment he was born our son would be in pain.

3. Our doctor sent us immediately that day to a specialist who also performed an ultrasound and confirmed the diagnosis. We then met with a genetic counselor who explained our options. We learned that we could bring our baby into the world, then work hard to palliate his pain, or we could choose to terminate the pregnancy. While the decision was very difficult for us, we picked what, to us, seemed best for our family.

4. I was able to get an appointment to see the abortion provider that same day, but because of a Texas law that had taken effect only two weeks before, I would have to have an ultrasound performed that day and then wait 24 hours before I could have the abortion. Not only did the abortion provider have to perform the ultrasound, but he also had to display the images so I could see them and describe the images of my baby, who I had just learned earlier that day was profoundly ill.

5. While the staff at the abortion clinic did all they could for me, this experience was nothing short of torture. I had to lie on an examination table, with my feet in stirrups. My belly was exposed with the ultrasound gel and abdominal probe on it while we saw images of our sick child forming on the screen for the third time that day. Before the doctor even started the description, I began to sob until I could barely breathe. My husband had to calm me down and the doctor had to wait for me to find my breath.

6. The description the doctor provided was perhaps the most devastating part because although our baby was profoundly ill, he had healthy organs too. So, the doctor was forced to describe – and I to hear – that he had a well-developed diaphragm and four healthy chambers of the heart. His words were unwelcome and I felt completely trapped. I closed my eyes. I twisted away from the screen. The doctor and staff repeatedly apologized for making us go through this, but their compassion could not ameliorate my pain.

7. This ultrasound served absolutely no purpose except to torture me. I had not only had ultrasounds before while I was pregnant with my daughter, but I also had several with this pregnancy. There was no information provided to me or my husband as a result of this experience. We had already received all of the information we needed to make what, for us, was a heartbreaking choice.

8. The doctor and staff at the abortion clinic were clear that they were doing this because the Texas law required it – not because it was best for me. Without the Texas law, they would not have displayed and explained the images, and we would not have asked them to do so.

9. The ultrasound required by Texas law did nothing other than cause me additional pain and distress on a day that was already the worst of my life. I have told my story in the media, and I tell it here, in the hope that it will make a difference and that it will help other women not to be forced to suffer the way I was.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this \_1\_\_\_\_ day of October, 2012.

*Carolyn Jones*

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**CAROLYN JONES**